

# ATTACK BY MR BAKER

Questions Credibility of Witness  
in Hermann Case.

CLAIMS HOUGH IS HOSTILE

Statements Made Before Grand Jury  
and Elsewhere.

RULING BY JUSTICE STAFFORD

Outcome of Testimony by Former  
Private Secretary to the De-  
fendant. Other Proceedings.

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Outcome of Testimony by Former  
Private Secretary to the De-  
fendant—Other Proceedings.

A direct and strongly sustained attack by United States Attorney Baker upon the credibility of former Private Secretary Elliott P. Hough as a witness, was the feature of today's proceedings in the trial of Representative Blinger Hermann in Criminal Court, No. 1. The question regarding Mr. Hough's testimony arose after Attorney

Wordington finished cross-examination of the witness and the government had begun its re-direct questioning. Objection was taken by the defendant's counsel to the United States attorney asking Mr. Hough about statements he had made before the grand jury, before representatives of the government, and before Secret Service Agents Burns, and that precipitated Mr. Baker's attack. He said, in part:

"I claim he is a hostile witness, and to illustrate I will call attention to his statements under direct examination, in which

he described the visit to Commissioner Hermannmann by Mr. Benson, in which he declared the visitor merely said 'How do you do?' and something like that, and let it go at that. And then on cross-examination witness required a page and a half of the record to describe a quarrel between Mr. Hermannmann and Mr. Benson on that occasion. We declare this witness has offered testimony on the stand, which was decidedly at variance

Attorney Worthington again gave voice to another objection, but Justice Stafford took the whole matter out of the hands of counsel for the moment and asked the United States attorney the following question:

"Yes," Mr. Baker replied.

"And it is your desire to question the reliability of his testimony so as to withdraw it so far as possible from the jury?"

"Yes."

**Examination Proceeds.**

"I think then the examination may pro-

"How many letter books did Judge Lamoreux use while he was commissioner?" the United States attorney asked.

"More than one," Mr. Hough replied.

"As many as ten?"

"Oh! no."  
"Five?"  
"I do not think so. I remember only that he wrote a very few letters."  
"How long was he commissioner?"  
"Four years."  
Witness stated he put in the copy books all of the letters dictated to him by Commissioner Lamoreux, nearly all of which were of a personal nature. Commissioner

"Did you not state before the grand jury in reply to a question asked by Mr. Beach that prior to the time Mr. Hermann came into office the letters received would always be taken to the division to which they appertained?" Mr. Baker queried. The ques-

"Where was that?" Mr. Worthington interjected.

Reading from a series of typewritten notes, the United States attorney asked Mr. Hough whether he had made several statements quoted to him before Assistant United States Attorney Adkins a couple of weeks ago. The answers generally were that witness "did not know," or "did not remember."

"When did your memory become refreshed about this matter?" sharply queried the United States attorney.

"I can not say," witness replied, "except I have been thinking a great deal about

**On Recross-Examination.**

In taking the witness for recross-examination Attorney Worthington said that he, too, wished to show contradictory statements by Mr. Hough, "not to impeach his honesty or truthfulness, but to show his memory to be defective," and some of the

"Have you received any compensation or benefit or promise of either from the defendant or any one representing him as reward from any testimony you might give at this trial?" asked Mr. Worthington in conclusion.

"No, sir," Mr. Hough promptly responded.

The examination of Mr. Hough was finally concluded early during the afternoon session of the court, and Christian H. Muller, a messenger in the general land office, was called. When Mr. Hermann was commissioner, witness said, he was chief messenger, and he described the method of distribution of incoming mail, saying the com-

Mr. Muller said he often press-copied Mr. Hermann's mail after it had been signed, but he could remember no occasion when he had taken letters written on the "blue" paper of the commissioner's private office to any one of the divisions of the land office there to be made a matter

of record. For the first time since the trial began the actual destruction of the copy books came into evidence before the jury. Mr. Muller stating the order to destroy the thirty-five volumes that had been given to him personally by Commissioner Hermann one morning about three weeks before the latter left the office. According to instruction, witness said, he and another messenger tore

**No Change in Rhode Island.**  
PROVIDENCE, R. I., February 23.—The voting for the election of a United States senator continued unchanged today in the

registered on the twenty-third instant. Goddard receiving 41, Colt, 38; Wetmore, 30, and Utter, 1.

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**Plague in German East Africa.**

BERLIN, February 28.—It is officially announced that two cases of the plague have occurred at Muanza, German East Africa, and also that one case was discovered on

board a British steamer which arrived recently at Muanza. The colonial authorities are taking every possible precaution to prevent a spread of the pestilence.